

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

L.J. ZUCCA, INC.

Plaintiff,

v.

ALLEN BROS. WHOLESALE
DISTRIBUTORS INC., COOPER-BOOTH :
WHOLESALE COMPANY, EBY-BROWN :
COMPANY, LLC and KLEIN CANDY :
CO. LP, :

Defendants.

CIVIL ACTION NO. _____

Removed from Superior Court,
New Castle County, Delaware
C.A. No. 2572-N

**DECLARATION OF FILING AND
SERVICE OF NOTICE OF FILING
OF NOTICE OF REMOVAL**

I, David K. Sheppard, attorney for Defendant Cooper-Booth Wholesale Company, declare that, in compliance with 28 U.S.C. § 1446(d), a Notice of Filing of Notice of Removal, attached hereto as Exhibit A, was filed with the Court of Chancery of the State of Delaware in and for New Castle County on January 3, 2007.

In addition, true and correct copies of the Notice of Filing of Notice of Removal was served on January 3, 2007, upon the following counsel of record in the manner indicated below:

VIA HAND DELIVERY

Kimberly M. Large, Esquire
Saul Ewing LLP
222 Delaware Ave., Suite 1200
P.O. Box 1266
Wilmington, DE 19899
Attorneys for Plaintiff
L.J. Zucca, Inc.

VIA FIRST CLASS MAIL

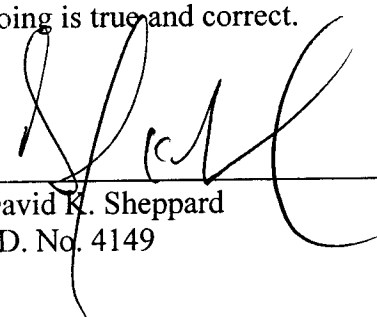
Eric Rayz, Esquire
Kalikhman & Rayz, LLC
1051 County Line Rd., Suite 102
Huntingdon Valley, PA 19006
Attorneys for Defendant
Allen Bros. Wholesale Distributors, Inc.

Michael D. Fioretti, Esquire
Chance & McCann, LLC
201 West Commerce St.
Bridgeton, NJ 08302
Attorneys for Defendant
Eby-Brown Company LLC

Brian C. Wille, Esquire
Kostelanetz & Fink, LLP
530 Fifth Ave.
New York, NY 10036
Attorneys for Defendant
Klein Candy Co. LP

I declare under penalty of perjury that the forgoing is true and correct.

Dated: January 3, 2007



David R. Sheppard
I.D. No. 4149

L. J. Zucca, Inc. v. Allen Bros. Wholesale Distributors, Inc., et al.

**EXHIBIT A TO DECLARATION OF FILING AND SERVICE OF
NOTICE OF FILING OF NOTICE OF REMOVAL**

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

L.J. ZUCCA, INC.

Plaintiff,

v.

ALLEN BROS. WHOLESALE
DISTRIBUTORS INC., COOPER-BOOTH :
WHOLESALE COMPANY, EBY-BROWN :
COMPANY LLC; and KLEIN CANDY :
CO. LP,

Defendants.

C.A. No. 2572-N

**NOTICE OF FILING OF
NOTICE OF REMOVAL ACTION
UNDER 28 U.S.C. § 1441(a)**

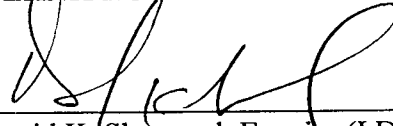
NOTICE OF FILING NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendant Cooper-Booth Wholesale Company filed a Notice of Removal with the United States District Court for the District of Delaware on January 3, 2007, pursuant to 28 U.S.C. §§ 1441, *et seq.* A true and correct copy of the Notice of Removal is attached as Exhibit A.

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. § 1446(d), the Court of Chancery of the State of Delaware in and for New Castle County shall proceed no further in this matter unless and until the case is remanded.

Respectfully submitted,

BLANK ROME LLP



David K. Sheppard, Esquire (I.D. No. 4149)
1201 Market Street, Suite 800
Wilmington, DE 19801
Phone: (302) 425-6400
Fax (302) 425-6464

Dated: January 3, 2007

AND

Stephen M. Orlofsky, Esquire
Kit Applegate, Esquire
210 Lake Drive East, Suite 200
Woodland Falls Corporate Park
Cherry Hill, New Jersey 08002
Phone: (856) 779-3600
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